

November 9, 2012

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Via Universal Licensing System

Federal Communications Commission
Wireless Telecommunications Bureau
445 12th Street, S.W.
Washington, DC 20554

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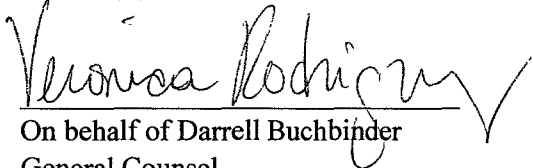
WAIVER – EXPEDITED ACTION REQUESTED

**Re: FCC Registration No. 003462488; Request for Waiver of Commission Rules
Regarding the Spectral Efficiency of Private Land Mobile Radio Services in the 150-
174 and 450-470 MHz Bands, Requiring 12.5 KHz Channel Bandwidth or
Equivalent Technology by January 1, 2013 – WT Docket No. 99-87**

Dear Commissioner:

Enclosed herewith, for filing, please find the above-referenced "Request for Waiver" made pursuant to Section 1.925 of the Federal Communications Commission Rules.

Sincerely yours,



On behalf of Darrell Buchbinder
General Counsel
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New York, New York 10003
(212) 435-3515

Port Authority Contact:

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Melvin Spann, FCC (via email)

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FCC Mail Room

In the Matter of:

Implementation of Sections 309(j) and 337 of)	
The Communications Act of 1934 as Amended;)	WT Docket No. 99-87
Promotion of Spectrum Efficient Technologies)	
On Certain Part 90 Frequencies.)	
)	

**REQUEST FOR WAIVER OF COMMISSION RULES REGARDING THE
SPECTRAL EFFICIENCY OF PRIVATE LAND MOBILE RADIO SERVICES IN
THE 150-174 AND 450-470 MHZ BANDS, REQUIRING 12.5 KHZ CHANNEL
BANDWIDTH OR EQUIVALENT TECHNOLOGY BY JANUARY 1, 2013**

WAIVER - EXPEDITED ACTION REQUESTED

**THE PORT AUTHORITY OF NEW YORK
AND NEW JERSEY**

**PORT AUTHORITY TRANS-HUDSON
CORPORATION**

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Dated: November 9, 2012

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EXECUTIVE SUMMARY

Pursuant to Section 1.925 of Federal Communications Commission (“Commission”) Rules, The Port Authority of New York and New Jersey (the “Port Authority”) and Port Authority Trans-Hudson Corporation (“PATH”) (collectively the “Port Authority”) hereby request a 176-day extension of the Commission’s mandate to narrowband by January 1, 2013. The Port Authority’s efforts to narrowband will be 89.7% complete on January 1st. Thirty-nine of the Port Authority’s radio authorizations operating fifty-seven channel frequencies are subject to the Commission’s narrowband mandate.

Of the thirty-nine, only four of the Port Authority’s radio authorizations (WZU433, KJF940, WQPM463 and WZC621), used for PATH rail transit system operation, maintenance and safety communications, will require additional time beyond the narrowband deadline. This delay is being caused by simulcast project work on the same four radio authorizations, which must be tested and completed before narrowband related work could begin. For the other thirty-five radio authorizations, the Port Authority is diligently working to convert those facilities and equipment to permanent narrowband operation and will be 100% complete on January 1, 2013.

The Port Authority searched adjacent frequencies for a radius of 150 km about each station’s geographic coordinates to ascertain the impacts, if any, of extended wideband operations beyond January 1, 2013. The Port Authority determined the extended use of wideband operations for an additional 176 days will have no adverse impact to interoperability relationships or other interdependencies with other parties and will result in no change to slight improvement in the affected band. The results of this search are provided in Attachment D hereto.

For the foregoing reasons and as more fully set forth herein, the Port Authority requests that the Commission grant a 176-day waiver of the narrowband deadline as it would serve the

public interest by providing the Port Authority additional time to bring its radio facilities and infrastructure for Waiver Call Signs WZU433, KJF940, WQPM463 and WZC621 to effective simulcast and narrowbanded operations. Furthermore, the grant of this waiver will support the Port Authority in its endeavors to carry out functional and reliable communications for operation, maintenance and safety of the PATH rail transit system.

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of:

Implementation of Sections 309(j) and 337 of)	
The Communications Act of 1934 as Amended;)	WT Docket No. 99-87
Promotion of Spectrum Efficient Technologies)	
On Certain Part 90 Frequencies.)	
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**REQUEST FOR WAIVER OF COMMISSION RULES REGARDING THE
SPECTRAL EFFICIENCY OF PRIVATE LAND MOBILE RADIO SERVICES IN
THE 150-174 AND 450-470 MHZ BANDS, REQUIRING 12.5 KHZ CHANNEL
BANDWIDTH OR EQUIVALENT TECHNOLOGY BY JANUARY 1, 2013**

WAIVER - EXPEDITED ACTION REQUESTED

TO: Wireless Telecommunications Bureau

I. INTRODUCTION

The Port Authority of New York and New Jersey¹ (the “Port Authority”) and the Port Authority Trans-Hudson Corporation (“PATH”) (collectively the “Port Authority”) respectfully request a waiver of the January 1, 2013 narrowband deadline until June 25, 2013 (“Waiver Period”) pursuant to the Public Notice² released by the Federal Communications Commission (“FCC” or “Commission”). At the time of this filing, the Port Authority has transitioned seventy percent of its land mobile radio services to narrowband operations in support of the Commission’s efforts to establish greater spectral efficiency, relieve congestion and increase

¹ FCC Registration Number 003462488.

² See Wireless Telecommunications Bureau, Public Safety and Homeland Security Bureau, and Office of Engineering and Technology Provide Reminder of the January 1, 2013 Deadline for Transition to Narrowband Operations in the 150-174 MHz and 421-512 MHz Bands and Guidance for Submission of Requests for Waiver and Other Matters, *Public Notice*, 26 FCC Rcd 9647 (2011); Wireless Telecommunications Bureau and Public Safety and Homeland Security Bureau Provide Supplemental Guidance for Licensees in the 150-174 MHz and 421-512 MHz Bands Seeking Waivers of the January 1, 2013 Narrowbanding Deadline, *Public Notice*, DA 12-246, rel. Feb. 21, 2012.

channel availability for public safety VHF/UHF systems. By January 1, 2013, 89.7 % of the Port Authority's infrastructure will be narrowbanded. The radio authorizations that are the subject of this waiver are Call Signs WZU433, KJF940, WQPM463 and WZC621³ (collectively "Waiver Call Signs"). In accordance with the aforementioned Public Notice, the instant petition addresses the factors in support of a waiver under Section 1.925 of the Commission's Rules.

II. BACKGROUND

The Port Authority is a municipal corporate instrumentality and political subdivision of the States of New York and New Jersey, created and existing by virtue of the Compact of April 30, 1921, made by and between the two States with the consent of the Congress of the United States. The Port Authority provides transportation, terminal and other facilities of trade and commerce within the Port of New York District, which includes five regional or international airports, six port terminals, six interstate tunnels and bridges, a bus terminal, the Trans-Hudson Ferry Service, two waterfront development facilities, a rail transit system and the World Trade Center. The bulk of this infrastructure is contained within a geographic area of about 1,500 square miles in both States, centering about New York Harbor. The Port Authority operates radio communications in multiple radio frequency ("RF") bands including the 150 - 174 MHz, 421 - 470 MHz bands that the Commission has mandated to operate on narrowband technology by January 1, 2013 ("Narrowband Deadline"). The Port Authority is diligently working to comply with that mandate, however, due to circumstances beyond its control the Port Authority will be unable to meet the Narrowband Deadline with respect to four (4) out of thirty-nine (39) of its FCC radio station authorizations required to narrowband. As part of its "Narrowband Project", the Port Authority identified thirty-nine (39) FCC radio station authorizations, agency-wide,

³ Call Sign WZC621 is licensed to Port Authority subsidiary PATH, under the same Port Authority FRN Number, 003462488.

requiring replacement or reprogramming of radio equipment to operate using narrowband technology. These radio station authorizations permit the operation of a total of fifty-seven (57) channel-frequencies.

III. STEPS TAKEN TO MEET THE NARROWBAND DEADLINE

Thirty-nine (39) radio station authorizations licensed to the Port Authority have been modified to authorize operation of narrowband technology pursuant to the Narrowband Order⁴. The Commission has presently pending before it one form FCC601 application for modification to add narrowband modulation to the associated channel-frequencies. In response to the Commission's mandate to narrowband by January 1, 2013 the Port Authority undertook a project to meet this deadline, discussed and referred to herein as the "Narrowband Project". As a result of technical anomalies causing delays in an earlier project, PATH Simulcast, progress in the required narrowband work has been hindered until completion of simulcast related work for the Waiver Call Signs. The Narrowband Project includes the narrowbanding of the PATH VHF radio system, which constitutes approximately 10% of the overall narrowbanding project. The Port Authority will undertake the narrowbanding of the PATH VHF radio system upon completion of a separate project where the PATH Radio system is converted to Simulcast. Because of technical anomalies causing delays in the PATH Simulcast project, progress in the required narrowband work has been hindered until completion of simulcast related work for the Waiver Call Signs.

⁴ See In the Matter of Implementation of Sections 309(j) and 337 of the Communications Act of 1934 as Amended, Second Report and Order and Second Further Notice of Proposed Rulemaking, WT Docket No. 99-87, RM-9332, 18 FCC Rcd 3034 (2003); In the Matter of Implementation of Sections 309(j) and 337 of the Communications Act of 1934 as Amended, Third Memorandum Opinion and Order, Third Further Notice of Proposed Rule Making and Order, WT Docket No. 99-87, RM-9332, 19 FCC Rcd 25045 (2004); See also 47 C.F.R. §§ 90.203(j), 90.209(b).

PATH Simulcast Project

By way of background, the Port Authority, through its subsidiary, the Port Authority Trans-Hudson Corporation (“PATH”), operates a rail transit system that runs from the World Trade Center and 33rd Street Stations in New York City across the Hudson River via four tunnels to rail stations in Hudson and Essex Counties in New Jersey. In 2011, PATH accommodated an average ridership of approximately 256,000 trips per weekday. In 2011, annual ridership reached a record of 76.6 million passenger trips. The PATH system runs twenty-four hours a day, seven days a week.

In July 2006, the Port Authority initiated a Simulcast Project to improve the PATH communications network above ground and below ground within the tunnels and under the Hudson River. During the redevelopment and construction of the World Trade Center, it was recognized that significant radio interference arose in the PATH radio channels at certain tunnel access points where the PATH tunnel radio system transmissions are detected on the same co-channels operating above ground. This interference is termed Time Domain Interference (“TDI”). TDI occurs between the PATH tunnel radio system and the PATH above-ground radio system operating on the same channels at radio frequency overlap areas especially at tunnel entrance and egress points of the PATH rail system (“Simulcast Project”). The Waiver Call Signs operate four RF channel-frequencies that specifically support PATH rail operations.

Simulcast Project work must be performed around PATH train schedules to ensure the safety of project personnel when emplacing distributed antenna systems on walls of tunnels when train traffic is active. This operationally challenging environment magnifies any work delays in the Simulcast Project. At the time of this request, the conversion to simulcast radio operation has not been completed. It was scheduled to be completed by June 2012, but due to technical anomalies, issues with the correct timing and alignment of the simulcast system, work

will not be completed until April 2013. The PATH simulcast system must be completed, tested, and accepted before the narrowband conversion work can proceed. The Simulcast Project delay has imposed a delay in baseline testing and completion of narrowbanding work on the RF channels associated with the PATH tunnel and above-ground co-channels.

Narrowbanding work in connection with the Waiver Call Signs must run sequentially, not concurrently, with the associated Simulcast Project work for those Waiver Call Signs. Simulcast work for the Waiver Call Signs will mitigate TDI by (a) calibrating the amplitude and deviation of the transmitter RF signals on both systems to the same degree of preciseness, (b) synchronizing the transmitter RF signal launch time for co-channels on both systems so that they differ by only milliseconds and (c) controlling the transmitter center frequency values of the co-channels on both systems. The technical parameters of operation must be precise. The narrowband work for the Waiver Call Signs will adjust the transmitter's channel-frequency deviation value from wideband (nominally, a necessary bandwidth of 20K0xxx) to narrowband (nominally, a necessary bandwidth of 11K2xxx), and other associated changes. Attempting to adjust parameters associated with both projects concurrently is not practicable. To do so, would increase the difficulty of the overall effort exponentially and likely result in an increased overall timeframe to complete both efforts.

Moreover, it would be contrary to good engineering and contract management practice to attempt to make the technical changes needed for each project at the same time. Both projects are governed by separate contract terms with different contractors. As such, having the work occur concurrently may raise issues, such as, system performance reliability and determining responsibility for mitigation of such problems.

Currently, the Simulcast Project is 95% complete. The Simulcast Project has always been fully funded and funds continue to be available until the project is complete. For the Narrowband

Project, the RF equipment in PATH trains would be reprogrammed in-place. PATH subscriber units would be removed from operation and programmed at the contractor's facility. Were there no delay in the Simulcast Project work, there would have been sufficient time to perform reference baseline testing, reprogram the equipment and be in permanent narrowband operation by January 1, 2013.

Narrowband Project

The Port Authority awarded a contract for transitioning to narrowband in March 2012. Presently, all technical details, logistics planning, equipment acquisition, site field surveys and equipment inventory updates have all been completed. The target date for full transition to narrowband by the Narrowband Deadline will be met except for the four radio authorizations, i.e. Waiver Call Signs, which are the subject of this waiver request. The Narrowband Project was expected to be completed by the Narrowband Deadline, but is now delayed several months and will not be completed until June 25, 2013. As mentioned above, delays in the Simulcast Project will prevent only 10.3% of the Port Authority's radio station authorizations to meet the Narrowband Deadline.

There is no delay in the Narrowband Project with respect to replacement or re-programming of the subscriber units associated with the PATH tunnel and above-ground channel-frequencies. The re-programming of the subscriber units in the railroad rolling stock is currently at 90% completion. As of October 26, 2012, agency-wide, for non-PATH equipment, 90% of portables and 95% of mobiles and, for PATH equipment, 95% of railcar units, 40% of portable radios and 20% of mobile radios are capable of operating on narrowband technology. Certain mobile radios were discovered to be non-narrowbandable and are currently being scheduled to be changed out. All efforts will be made to change out these mobiles by December 31, 2012, if not; they will be tagged out of service until changed out to narrowband radios. The

required replacement mobile radios have already been procured and delivered. 100% of subscriber equipment, i.e., mobiles and portables, including within PATH railcars, other than any remaining replacement mobiles as indicated above, are projected to be narrowbanded by December 18, 2012, including PATH subscriber equipment. The most significant delay is occurring in the changes to the fixed radio infrastructure in the tunnel radio system; the work portion most affected by train traffic flow and safety considerations.

As a result of the foregoing delays in completion of Simulcast Project related work, the Port Authority requests a waiver of the January 1, 2013 deadline for a period of 176 days, to June 25, 2013, and authorization for the use of RF transmissions having an emission designator of 20KOF3E during the Waiver Period. This waiver is requested for channel-frequencies associated with the Waiver Call Signs, WZU433, KJF940, WQPM463 and WZC621, as further detailed in Attachments A, B, and C. Any additional changes to operations made concurrent with the license modifications for narrowbanding are detailed in the Attachments. Moreover, the Simulcast Project will be further delayed because of flooding and power outages at PATH rail tunnels and stations, including the PATH station and tunnel portion at the World Trade Center construction area, caused by Hurricane Sandy on October 29-30, 2012. The resultant damage and repairs will delay completion of the Simulcast project, which must precede the narrowbanding of the Waiver Call Signs.

Were the Commission to grant this waiver, the additional time allotted during the Waiver Period would be apportioned as 120 days for Simulcast Project completion and the following 56 days for placing the remaining stations associated with the simulcast radio system into permanent narrowband operation. The time requested will permit completion of the remaining simulcast work, final testing of the simulcast system, resolution of any issues identified during

those tests and then follow with narrowband work. The Narrowband Project has always been fully funded and funds continue to be available until the project is complete.

IV. SCHEDULE FOR CONVERSION OF RADIO AUTHORIZATIONS/LICENSES TO PERMANENT NARROWBAND OPERATION BY THE NARROWBAND DEADLINE

The Port Authority has been diligently working to convert to narrowband operation the radio facilities required to operate in that mode by the Narrowband Deadline. Thirty-five (35) of its radio facilities will be in permanent narrowband operation by January 1, 2013. The remaining four (4) are the subject of this waiver request. The schedule for moving to permanent narrowband operation for the thirty-five radio authorizations is, as follows:

Date Placed into Permanent Narrowband Operation	Completion Percentage (%) of 35 Authorizations/Licenses
As of 10/26/2012	69.2%
As of 11/30/2012	71.8%
As of 12/15/2012	*92.0%
As of 01/01/2013	100%

Table Note:

* The significant increase in the completion percentage on December 15, 2012 is due to converting to narrowband operation multiple stations *en masse* that are all associated with a Port Authority channel-frequency used for area-wide communications.

Intermediate steps achieved in the narrowband equipment conversion work are, as follows:

- As of October 26, 2012, 90% of all portable subscriber (hand-held) units and 95% of all mobile (vehicular) units have been converted to be capable of operating in narrowband mode.

- As of October 26, 2021, 95% of the PATH railcar (vehicular) units and 40% of the PATH portable (hand-held) units have been converted to be capable of operating in narrowband mode. These units are those associated with the four radio authorizations that are the subject of this waiver request.

Once the associated fixed stations have been converted, tested and the system tests completed and accepted, then the system will be placed into permanent narrowband operation.

V. IMPACT OF EXTENDED WIDEBAND OPERATIONS

The effect to existing stations of the Port Authority operating in wideband during the Waiver Period would result in no change to slight improvement in the affected band. The channel-frequencies that are the subject of this waiver request are in the VHF band where adjacent channels are +/- 7.5 KHz and +/- 15 KHz offset from the desired channel-frequency. We have been advised that coordination certification bodies treat the adjacent channel +/- 7.5 MHz offset as co-channel because even for 11.25 KHz operation there is significant channel overlap. The remedy would still be geographic separation to use those adjacent channels. For the adjacent channels that are +/- 15 KHz offset, there will be channel overlap but to a lesser extent when both parties are operating 20 KHz. If one licensee is using 11.25 KHz emission, the other 20 KHz emission there is less channel overlap and some improvement.

The Port Authority has performed frequency search analyses for a radius of 150 km about each station's geographic coordinates for each channel-frequency. We find extensive use of the +/- 15 KHz adjacent channels and very little use of the +/- 7.5 adjacent channels. The frequency search results are summarized in Attachment D hereto and identifies the current utilizations of the channel-frequencies adjacent to those authorized in the Waiver Call Signs.

The Port Authority is not aware of any impact extended wideband operations may have on co-channel and adjacent channel operations to other licensees. There will be no adverse

impact to interoperability relationships or other interdependencies with other parties, as a result of the extended wideband operation arising out of the grant of this waiver. However, any adverse impact with respect to those who have not yet filed to operate in the affected band are unknown. Since the channel-frequencies associated with Call Signs WZU433, KJF940, WZC621 and WPQM463 are mandated by the Commission to be coordination certified by the Association of American Railroads ("AAR"), as shown by the "LR" symbol in the Coordinator column of Section §90.35(b)(3) of the Commission's Rules, a copy of this waiver request will be served upon the Railroad Coordinator. The Port Authority is committed to cooperating to resolve any potential interference conflict that may arise from its operation of extended wideband channel-frequencies during the Waiver Period.

VI. A WAIVER OF THE NARROWBAND DEADLINE UNTIL JUNE 25, 2013 IS IN THE PUBLIC INTEREST

Section 1.925(b)(3) provides that the Commission may grant a request for waiver if it is shown that:

(i) The underlying purpose of the rule(s) would not be served or would be frustrated by application to the instant case, and that a grant of the requested waiver would be in the public interest; or (ii) in view of unique or unusual factual circumstances of the instant case, application of the rule(s) would be inequitable, unduly burdensome or contrary to the public interest, or the applicant has no reasonable alternative.

47 C.F.R. § 1.925(b)(3).

In this waiver request, the Port Authority has explained the reasons and circumstances for the delay in narrowbanding all of its radio authorizations by the mandated January 1, 2013 deadline. A prior project, not completed, has imposed a delay to the Port Authority's narrowband efforts, but only for four (4) of the thirty-nine (39) radio authorizations required to narrowband. Any adverse impact of extending wideband operation beyond the Narrowband Deadline as

detailed in this waiver request is overridden by the need to assure that a narrowbanded, functional simulcast radio system serving very heavily used railroad facilities is constructed, tested and capable of operating in a manner that is protective of the public interest. Denial of this waiver request would result in a degraded radio system for PATH communications used for the operation, maintenance and safety of the PATH rail system.

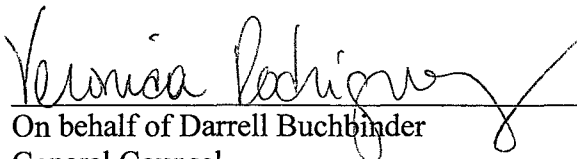
VII. CONCLUSION

Accordingly, the Port Authority requests a waiver of the January 1, 2013 narrowband deadline until June 25, 2013.

Respectfully submitted,

**THE PORT AUTHORITY OF
NEW YORK AND NEW JERSEY**

**PORT AUTHORITY TRANS-HUDSON
CORPORATION**

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Date: November 9, 2012

ATTACHMENT A

RADIO AUTHORIZATIONS FOR WHICH WAIVER IS REQUESTED IN ORDER TO OPERATE WITH 20K0F3E EMISSION DESIGNATOR FOR 176 DAYS, JANUARY 1, 2013 TO JUNE 25, 2013:

<u>Radio Authorization</u>	<u>Location</u>	<u>Channel- Frequency (MHz)</u>
WZU433	1	161.46000000
WZU433	2	161.46000000

NOTES TO WZU433:

Radio authorization changes concurrent with the change from 20K0F3E, to 11K2F2E were made under form FCC601 application, FCC file #0005188407. Coordination Certification for the application was provided by the Association of American Railroads

<u>Radio Authorization</u>	<u>Location</u>	<u>Channel- Frequency (MHz)</u>
KJF940	1	160.47000000
KJF940	1	161.04000000
KJF940	2	160.47000000
KJF940	2	160.04000000

NOTES TO KJF940:

Radio authorization changes concurrent with the change from 20K0F3E to 11K0F3E, 11K2F3E were made under form FCC601 application, FCC #0004898275. Coordination Certification for the application was provided by the Association of American Railroads.

ATTACHMENT B

RADIO AUTHORIZATION FOR WHICH WAIVER IS REQUESTED IN ORDER TO OPERATE WITH 20K0F3E EMISSION DESIGNATOR FOR 176 DAYS, JANUARY 1, 2013 TO JUNE 25, 2013, ON ALL CHANNEL-FREQUENCIES, INSTEAD OF 11K0F3E, 11K2F3E:

<u>Radio Authorization</u>	<u>Location</u>	<u>Channel- Frequency (MHz)</u>
WQPM463	1	160.47000000
WQPM463	1	161.04000000
WQPM463	1	161.46000000
WQPM463	2	160.47000000
WQPM463	2	161.46000000
WQPM463	2	161.04000000

NOTES:

These stations were applied for with narrowband emissions under form FCC601 application, FCC File #0005181093, for which coordination certification was performed by the Association of American Railroads.

ATTACHMENT C

RADIO AUTHORIZATION FOR WHICH WAIVER IS REQUESTED IN ORDER TO OPERATE WITH 20K0F3E EMISSION DESIGNATOR FOR 176 DAYS, JANUARY 1, 2013 TO JUNE 25 2013, INSTEAD OF 11K0F3E, 11K2F3E:

<u>Radio Authorization</u>	<u>Location</u>	<u>Channel- Frequency (MHz)</u>
WCZ621	1	161.53500000
WCZ621	1	161.53500000

NOTES:

Channel-frequency 161.5350 MHz is a railroad channel used by PATH personnel. It is not part of the PATH simulcast radio system. The Port Authority believes that to withdraw subscriber units from service to make changes for the WZC621 channel-frequency narrowbanding and then have to withdraw them once again for the changes needed for the three simulcast project-affected railroad channels would be inefficient use of technical and financial resources that are publicly funded.

ATTACHMENT D

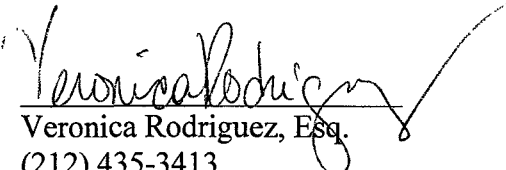
**SUMMARY OF FREQUENCY SEARCH RESULTS FOR ADJACENT CHANNEL USAGE IN THE AREA DEFINED AS
150 KM ABOUT THE GEOGRAPHIC COORDINATES OF THE LISTED RADIO AUTHORIZATIONS**

<u>RADIO AUTHORIZATION</u>	<u>CO-CHANNEL FREQUENCY (MHz)</u>	<u>ADJACENT-CHANNEL STATIONS COUNT</u>		<u>NEAREST ADJACENT- CHANNEL STATION (km)</u>
		<u>+/- 7.5 KHz</u>	<u>+/- 15 KHz</u>	
WZU433	161.46000000	01	67	3.0
KJF940	160.47000000	01	57	3.3
KJF940	161.04000000	02	44	2.2
WQPM463	160.47000000	01	57	9.8
WQPM463	161.04000000	06	44	8.0
WQPM463	161.46000000	01	68	5.5
WZC621	161.53500000	00	16	3.2

CERTIFICATE OF SERVICE

I, hereby certify that on the 9th day of November 2012 a true copy of the foregoing *Request for Waiver of Commission Rules Regarding Spectral Efficiency of Private Land Mobile Radio Services in the 150-174 and 450-470 MHz Bands, Requiring 12.5 KHz Channel Bandwidth or Equivalent Technology by January 1, 2013* was served upon the Commission electronically via its Universal Licensing System and with a courtesy copy to:

<i>Via Federal Express</i>	<i>Via Electronic Mail</i>
Ms. Marlene H. Dortch Federal Communications Commission Office of the Secretary 9300 E. Hampton Drive Capital Heights, MD 20743	Melvin Spann, Wireless Telecommunications Bureau, Mobility Division Melvin.Spann@fcc.gov
Transportation Technology Center, Inc. Radio Frequency Coordination 55500 DOT Road Pueblo, CO 81001 Attn: Mr. Jim Reimer	Railroad Coordinator, Association of American Railroads Coordination@aar.com


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Date: November 9, 2012